

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ALLSTATE INSURANCE COMPANY,  
ALLSTATE PROPERTY & CASUALTY INSURANCE  
COMPANY,  
ALLSTATE FIRE & CASUALTY INSURANCE COMPANY,  
AND ALLSTATE INDEMNITY COMPANY,

Plaintiffs,

v.

JAMES A. SPINA II, D.C.,  
ANDREA GROSSMAN,  
KIMBERLY A. SPINA,  
MAELIEN SPINA,  
CATSKILL MEDICAL CARE, P.C. (d/b/a MIDDLETOWN  
PHYSICAL THERAPY AND PAIN MANAGEMENT),  
TAMMY GARCIA-KLIPFEL, ESQ., as personal representative of  
the Estate of HERBERT M. GARCIA, M.D., deceased,  
PHYSICAL MEDICINE & DIAGNOSTIC TESTING, P.C.,  
CLIFTON D. BURT, M.D.,  
CHARLES H. BAGLEY, M.D.,  
MIDDLETOWN PHYSICAL THERAPY, P.C. (d/b/a PHYSICAL  
THERAPY OF ORANGE COUNTY),  
ELEANORE B. ROBLES, PT (a/k/a ELEANORE B. ROBLES-  
PARAS, PT),  
MID HUDSON ACUPUNCTURE, P.C.,  
RALPH J. STORM, L.AC.,  
OPEN MRI OF MIDDLETOWN, L.L.C.,  
UPSTATE RADIOLOGY, P.C.,  
ACCREDITED MEDICAL SUPPLY INC.,  
EFFECTIVE MARKETING & COMMUNICATIONS, LLC,  
JJMJ REALTY COMPANY, AND  
ROSWELL REALTY LLC,

Defendants.

C.A. No. 7:20-cv-01959-KMK

**~~PROPOSED~~ ORDER GRANTING ALLSTATE INSURANCE COMPANY'S<sup>1</sup>**  
**REQUEST TO REQUIRE MONTHLY STATUS REPORTS FROM ALLSTATE, JAMES**  
**A. SPINA II, D.C., MAELIEN SPINA, JJMJ REALTY COMPANY, AND THE UNITED**  
**STATES OF AMERICA**

Pursuant to the Status Conference held on October 7, 2021, it is hereby:

<sup>1</sup> Allstate Insurance Company, Allstate Property & Casualty Insurance Company, Allstate Fire & Casualty Insurance Company, and Allstate Indemnity Company (collectively, "Allstate" or "Plaintiffs").

**ORDERED** that Allstate, James A. Spina II, JJMJ Realty Company, and the United States of America notify this Court of the status of ongoing discussions related to the release of Effective Marketing retirement funds to Maelien Spina, and the release of JJMJ Realty's property to satisfy a settlement agreement, in principle, between Allstate and JJMJ Realty. It is further:

**ORDERED** that Allstate, James A. Spina II, JJMJ Realty Company, and the United States of America submit such status reports to the Court, via CM/ECF, on or before the 15<sup>th</sup> day of every month beginning in November 2021, until all issues related to this matter have been resolved.

**SO ORDERED:**

A handwritten signature in black ink, appearing to read 'KMK', is written over a horizontal line.

The Honorable Kenneth M. Karas  
White Plains, New York

October 18, 2021